

PROB 12C
(7/93)

Report Date: April 5, 2010

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

APR 06 2010

Eastern District of Washington

JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Arvin T. Carmen

Case Number: 1:04CR05058-005
CR-09-52-EFS

Address of Offender:

Name of Sentencing Judicial Officer: Oliver W. Wanger, U.S. District Judge, Eastern District of California

Name of Assigned Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge

Date of Original Sentence: 6/7/2004

Original Offense: Bank Robbery, 18 U.S.C. § 2113(a)

Original Sentence: Prison - 63 Months; TSR - 36 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Assistant U.S. Attorney

Date Supervision Commenced: 12/24/2008

Defense Attorney: Federal Defenders

Date Supervision Expires: 12/23/2011

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 **Standard Condition # 1:** The defendant shall not leave the judicial district without the permission of the court or probation officer.

Supporting Evidence: Arvin Carmen violated conditions of supervised release on or about March 21, 2010, by traveling outside of the Eastern District of Washington without permission. On March 23, 2010, collateral contact with Idaho State trooper, Ronald Sutton, revealed that Arvin Carmen traveled to Coeur D'Alene, Idaho, without securing authorization from the undersigned officer. According to the trooper, the offender was contacted while operating a vehicle westbound off I-90 at approximately 2:45 a.m. in Kootenai County Idaho.

- 2 **Mandatory Condition # 8:** The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.

Supporting Evidence: Arvin Carmen violated conditions of supervised release on or about March 21, 2010, by traveling with individuals who possessed marijuana and one oxycontin pill. During the subsequent traffic stop, while in the District of Idaho, law enforcement officers seized 4.5 grams of marijuana, one oxycontin pill, and \$6,970 U.S. currency.

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- 3 **Standard Condition # 9:** The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

Supporting Evidence: On or about March 21, 2010, Idaho State Police contacted Arvin Carmen while operating a vehicle with two male occupants, Trevor Moore and Tahei Moore. Trevor and Tahei Moore are known convicted felons. In fact, Trevor Moore was arrested following the vehicle stop for being a fugitive from justice since February 2009. He is currently under Washington State Department of Corrections supervision. Tahei Moore was arrested for possession of a controlled substance and drug paraphernalia.

- 4 **Standard Condition # 11:** The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.

Supporting Evidence: Arvin Carmen violated his supervised release in Spokane, Washington, on or about March 21 and 23, 2010, by failing to report contact with law enforcement following the above-mentioned traffic stop. Mr. Carmen was also contacted on March 23, 2010, while associating with known felons and gang members at a night club in Spokane, Washington.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

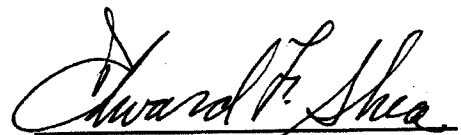
Executed on: 04/05/2010

s/Tommy Rosser

Tommy Rosser
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Issuance of a Warrant
☒ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

4/6/10

Date